



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, First Regular Session*

**AMENDED**  
FACT SHEET FOR S.B. 1248

electronic communications; social media post

Purpose

Adds a *social media post* to the definition of *electronic communication* as it pertains to the criminal offense of using electronic communication to terrify, intimidate, threaten or harass.

Background

It is a class 1 misdemeanor for a person, with intent to terrify, intimidate, threaten or harass a specific person or persons, to: 1) direct any obscene, lewd or profane language or suggest any lewd or lascivious act to the person in an *electronic communication*; 2) threaten to inflict physical harm to any person or property in any *electronic communication*; or 3) otherwise disturb by repeated anonymous, unwanted or unsolicited *electronic communications* the peace, quiet or right of privacy of the person at the place where the communications were received. Each of these offenses are deemed to have been committed at either the place where the communications originated or at the place where the communications were received ([A.R.S. § 13-2916](#)).

*Electronic communication* means a wire line, cable, wireless or cellular telephone call, a text message, an instant message or electronic mail ([A.R.S. § 13-2916](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Adds a *social media post* to the definition of *electronic communication* as it pertains to the criminal offense of using electronic communication to terrify, intimidate, threaten or harass.
2. Defines *social media post* as a social media communication that is knowingly intended to communicate to a specific person or persons in violation of the statute.
3. Clarifies that it is unlawful for a person to *knowingly*, instead of *intentionally*, terrify, intimidate, threaten or harass a specific person or persons under specified conditions.
4. Makes technical and conforming changes.
5. Becomes effective on the general effective date.

Amendments Adopted by Committee

1. Defines *social media post* as a social media communication that is knowingly intended to communicate to a specific person or persons in violation of the statute.
2. Clarifies that it is unlawful for a person to *knowingly*, instead of *intentionally*, terrify, intimidate, threaten or harass a specific person or persons under specified conditions.
3. Makes technical and conforming changes.

Senate Action

JUD            2/11/21    DPA    7-1-0

Prepared by Senate Research

February 12, 2021

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